

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

**AWGI, LLC, ATLAS LOGISTICS, INC.
and ATLAS VAN LINES, INC.,**

Case No. 2:17-cv-12131-SFC-DRG

Plaintiffs,

Hon. Sean F. Cox

v.

**ATLAS TRUCKING COMPANY, LLC,
ATLAS LOGISTICS, LLC, and
EATON STEEL BAR COMPANY, INC.,**

Defendants.

_____ /

JOINT FINAL PRETRIAL ORDER

Pursuant to the Court’s Scheduling Order and LR 16.2, the parties, Plaintiff/Counter-Defendant AWGI, LLC (“AWGI, LLC”), Plaintiff/Counter-Defendant Atlas Logistics, Inc. (“Atlas Logistics, Inc.”), and Plaintiff Atlas Van Lines, Inc. (“Van Lines”) (collectively “Plaintiffs” or “AWG”) and Defendant Atlas Trucking Company, LLC (“Atlas Trucking”), Defendant/Counter-Plaintiff Atlas Logistics, LLC (“Atlas Logistics, LLC”), and Defendant Eaton Steel Bar Company, Inc. (“Eaton Steel”) (collectively “Defendants”) submit the following proposed Joint Final Pretrial Order for approval and entry by this Court.

I. JURISDICTION

This court has subject matter jurisdiction pursuant to 15 U.S.C. §1121, and 28 U.S.C. §§1331 and 1338(a), as this case arises under the Lanham Act, 15 U.S.C. § 1501, *et seq.* Supplemental jurisdiction of this Court exists pursuant to 28 U.S.C. § 1367 for Defendant Atlas Logistics, LLC's counterclaim.

The parties do not dispute personal jurisdiction.

II. STATEMENT OF PLAINTIFFS' CLAIMS AND DEFENSES

A. Plaintiffs' Claims

Plaintiffs are related companies that transport and store goods of others and offer related logistics services. Plaintiffs offer, and have for many years offered, their services under trademarks that consist entirely or primarily of the word ATLAS, including: ATLAS; ATLAS LOGISTICS; ATLAS & Design (shown below); and ATLAS -- THE AGENTS' VAN LINE.



Plaintiffs' use of their marks (collectively, the "ATLAS Marks") provides Plaintiffs with common law rights in each Mark. Plaintiffs have also registered their Marks with the U.S. Patent & Trademark Office. The registrations for each mark,

other than ATLAS LOGISTICS, are incontestable under the Lanham Act (15 U.S.C. § 1065.) The dominant portion of the ATLAS Marks is ATLAS.

Defendants use ATLAS, ATLAS LOGISTICS, and the three ATLAS-formative logos shown below (collectively, the “Infringing Marks”) to transport goods of others and for related logistics services.



Defendants’ use of each Infringing Mark violates Plaintiffs’ rights in one or more of Plaintiffs’ ATLAS Marks under the Lanham Act (15 U.S.C. §§ 1114(1) and 1125(a)). The key element for a finding of liability under the Lanham Act is a “likelihood of confusion.” Defendants’ use of each Infringing Mark creates a likelihood of confusion as to the source or origin of the services Defendants offer under the Marks (“Source Confusion”). Defendants’ use of each Infringing Mark also creates a likelihood of confusion as to whether Defendants and/or their services offered under the Marks are sponsored, approved, or certified by Plaintiffs or whether there is an affiliation, connection, or association between the parties (“Sponsorship Confusion”). Plaintiffs have evidence of actual Source and/or

Sponsorship Confusion in the form of unsolicited comments from individuals and the results of a market research survey.

B. Plaintiffs' Defenses

Atlas Logistics, LLC asserts common law rights in ATLAS LOGISTICS, which it claims to have first used in 2003 and first used “on a consistent and continuous basis since at least as early as 2005.” (ECF 27, ¶¶ 7 and 9.) Atlas Logistics, LLC contends that its common law rights enable it to enjoin AWGI, LLC and Atlas Logistics, Inc. from using ATLAS LOGISTICS. However, AWGI, LLC and Atlas Logistics, Inc. began using ATLAS, ATLAS LOGISTICS, and ATLAS & Design (see Section II.A., above) before 2003. The senior user of a mark has superior rights in the mark and cannot be found liable under the Lanham Act or common law for exercising those rights. AWGI, LLC’s and Atlas Logistics, Inc.’s prior use of each of their marks, with and without tacking, precludes Atlas Logistics, LLC from establishing prior rights in ATLAS LOGISTICS and requires judgment in favor of AWGI, LLC and Atlas Logistics, Inc.

AWGI, LLC and Atlas Logistics, Inc. also defend on the basis of Atlas Logistics, LLC’s: waiver, acquiescence, and estoppel; prior misrepresentations; and unclean hands.

III. STATEMENT OF DEFENDANTS' CLAIMS AND DEFENSES

AWG asserts various claims based on Defendants' alleged infringement of unregistered trademarks. AWG's first claim is based on trademark rights it asserts in the word ATLAS without a modifier (Count I). AWG claims that Defendants' use of ATLAS in connection with the sale and marketing of Defendants' services is likely to cause confusion as to the origin, sponsorship, or approval of those services, based on AWG's prior use of the word ATLAS. However, Defendants do not use ATLAS standing alone and Defendants' use of ATLAS in conjunction with other words is unlikely to cause confusion.

AWG further claims trademark rights in the term ATLAS LOGISTICS (Count II). AWG assert that Defendants' use of ATLAS LOGISTICS is likely to cause confusion as to the origin, sponsorship, or approval of Defendants' services based on AWG's prior use of ATLAS LOGISTICS. AWG also claims that Defendants' use of ATLAS LOGISTICS constitutes trademark counterfeiting under 15 U.S.C. §1114(1)(a) (Count VI).

Atlas Logistics, LLC used ATLAS LOGISTICS first and has superior rights in the mark. The parties do not dispute that their mutual use of ATLAS LOGISTICS is likely to cause confusion. Consequently, Atlas Logistics, LLC asserted a counterclaim for trademark infringement against AWGI LLC and Atlas Logistics, Inc. based on their use of a confusingly similar mark (Counterclaim, Count I).

Defendant Logistics also requested cancellation of AWG's trademark registration for ATLAS LOGISTICS (Counterclaim, Count III).

AWG also claims trademark rights in a stylized logo:



(the "A Logo") and the phrase ATLAS--THE AGENTS' VAN LINE (Counts III and IV). AWG avers that Defendants' use of the word ATLAS and Defendants' use of their own logos are likely to cause confusion as to the source of Defendants' services. Here are exemplars of the logos used by Defendants:



Defendants assert that there is no likelihood of confusion based on the parties' use of these logos or based on AWG's use of ATLAS--THE AGENTS' VAN LINE.

Defendants pled equitable estoppel, waiver, and acquiescence as affirmative defenses. AWG contacted Defendants regarding the claims in this action in 2012 and opted not to pursue the matter. Defendants relied on AWG's decision and continued to invest in the Atlas Trucking and Atlas Logistics brands.

IV. STIPULATION OF FACTS¹

1. The application for trademark registration that resulted in Reg. No. 1,591,344 for “ATLAS--THE AGENTS’ VAN LINE” for the transportation of household goods by motor van was filed on August 14, 1989; the mark was registered on April 10, 1990.

2. The application trademark for registration that resulted in Reg. No. 3,137,526 for “Atlas” with an “A” logo for clothing, namely hats and shirts, and cloth patches for clothing, was filed on February 17, 2004; the mark was registered on September 5, 2006.

3. The application for trademark registration that resulted in Reg. No. 3,718,117 for “ATLAS” for freight forwarding services and transportation of household goods of others was filed on April 24, 2009; the mark was registered on December 1, 2009.

4. The application for trademark registration that resulted in Reg. No. 4,737,616 for “Atlas Logistics” for (a) “business management consultancy in the field of transport and delivery; providing electronic tracking of freight information to others for business administration purposes; providing tracking services and

¹ The parties stipulate to these facts to expedite trial and upon the request of at least one of the parties. A stipulation of fact should not be deemed a waiver of any party’s right to object to the relevancy of the fact and each party specifically reserves the right to contest the relevance of any stipulated fact.

information concerning tracking of assets in transit, namely, vehicles, trailers, drivers, cargo and delivery containers for business inventory purposes; transportation logistics services, namely, arranging the transportation of goods for others,” (b) “installation of restaurant equipment, namely, tables, chairs, booths and shelving; installation of healthcare facility furniture and equipment, namely, hospital beds, overhead tables, lockers, office furniture; installation of shelving and fine arts;” (c) “distribution services, namely, delivery of restaurant equipment, namely, tables, chairs, booths and shelving; distribution services, namely, delivery of healthcare facility furniture and equipment, namely, hospital beds, overhead tables, lockers, office furniture and shelving; distribution services, namely, delivery of fine arts; transport of general commodities and special products by truck and/or motor van, train, air and ocean; transportation and storage of goods; warehousing information; warehousing services;” and (d) “assembly of office and industrial furniture, shelving and equipment for others” was filed on March 6, 2014; the mark was registered on May 19, 2015.

5. The use by both parties of the mark ATLAS LOGISTICS is likely to cause confusion as to the source or affiliation of the parties’ respective services.

6. AWG sent a cease and desist letter on January 10, 2012, to Atlas Trucking and Atlas Logistics, LLC alleging trademark infringement based on their use of the word ATLAS.

7. Atlas Trucking and Atlas Logistics, LLC responded to the cease and desist letter on January 23, 2012.

8. AWG sent a second cease and desist letter to Atlas Trucking and Atlas Logistics, LLC on November 17, 2016.

9. The complaint was filed on June 29, 2017. AWG pursued no legal action against Defendants before filing the complaint.

10. AWG owns, and operates websites located at, www.atlasworldgroupinc.com, www.atlasvanlines.com, www.atlasterminal.com, www.atlasworldclasstravel.com, and www.altaslogistics.com.

11. AWG owns the domain name www.awglogistics.com and operated a website hosted at that domain until at least November 2013. Beginning in November 2013 and through today, www.awglogistics.com redirected to www.atlaslogistics.com.

12. AWG did not launch www.atlaslogistics.com until in or after October 2013.

13. Defendants own and operate websites located at various domain names, including www.eatonsteel.com and www.atlastrucking.com.

14. None of the parties own the domain name www.atlas.com.

15. AWGI, LLC is a limited liability company organized under the laws of the State of Delaware with its principal place of business in Evansville, IN.

16. Atlas Van Lines, Inc. is a Delaware corporation with its principal place of business in Evansville, IN.

17. Atlas Logistics, Inc., is an Indiana corporation with its principal place of business in Evansville, IN.

18. Atlas Logistics, LLC was formed to provide logistics services for Atlas Trucking.

19. Atlas Trucking was formed before Atlas Logistics, LLC was formed.

20. At the time Defendants first used “Atlas Logistics,” they had not conducted any investigation to determine whether “Atlas Logistics” was available as a trademark.

21. Defendants have not filed any federal or state trademark applications to register any mark that includes ATLAS.

22. Atlas Logistics, LLC filed its counterclaim on February 15, 2018. Atlas Logistics, LLC pursued no legal action against AWGI, LLC or Atlas Logistics, Inc. before filing the counterclaim.

23. Plaintiffs used ATLAS before Defendants used the mark ATLAS LOGISTICS.

24. Defendants do not claim rights in the mark ATLAS alone.

25. Reg. No. 1,591,344 is incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065.

26. Reg. No. 3,137,526 is incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065.

27. Reg. No. 3,718,117 is incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065.

28. Atlas Logistics LLC was formed in 2003.

29. Defendants do not challenge Plaintiffs' ownership of the ATLAS mark alone.

V. ISSUES OF FACT TO BE LITIGATED

A. Plaintiffs' Issues of Fact

For Plaintiffs' Claims:

- Whether Defendants' use of any one or more of the Infringing Marks is likely to cause Sponsorship Confusion in view of Plaintiffs' rights in any one or more of the ATLAS Marks; and in the case of Plaintiffs' rights in ATLAS LOGISTICS, whether such Confusion is likely under the "tacking" doctrine or otherwise.
- Whether Defendants' use of any one or more of the Infringing Marks is likely to cause Source Confusion in view of Plaintiffs' rights in any one or more of the ATLAS Marks; and in the case of Plaintiffs' rights in ATLAS LOGISTICS, whether such Confusion is likely under the "tacking" doctrine or otherwise.

At least some (but not necessarily all) of the following facts will impact the likelihood of Sponsorship and/or Source Confusion:

The nature and extent, geographically and otherwise, of Plaintiffs' use of each of the ATLAS Marks.

The relationship between transporting and storing goods of others, and logistics services related thereto.

Plaintiffs' first use of ATLAS, with or without other words.

Plaintiffs' first use of ATLAS, with or without other words, for logistics services.

Defendants' first use of ATLAS, with or without other words.

Defendants' first use of ATLAS, with or without other words, for logistics services.

Plaintiffs' first use of ATLAS LOGISTICS.

Plaintiffs' first use of ATLAS LOGISTICS for logistics services.

Defendants' first use of ATLAS LOGISTICS.

Defendants' first use of ATLAS LOGISTICS for logistics services.

Defendants' intent in using ATLAS, with or without other words.

Defendants' intent in using ATLAS, with or without other words, for logistics services.

The parties' respective marketing channels for the services they offer under any mark that includes, or consists entirely of, ATLAS.

The degree of care exercised by reasonably prudent purchasers of the Parties' ATLAS-branded services.

Plaintiffs' likelihood and/or intention (at the relevant time) of expanding from offering services that transport and store goods of others into logistics services related thereto.

Whether Defendants' use of ATLAS, with or without LOGISTICS, is likely to confuse consumers (at the relevant time) into believing that Plaintiffs have expanded into logistics services.

Whether Plaintiffs' use of ATLAS LOGISTICS creates the same, continuing commercial impression as their use of ATLAS.

When Defendants first became aware of Plaintiffs' use of ATLAS.

When Defendants first became aware of Plaintiffs' use of ATLAS LOGISTICS.

Whether Defendants misrepresented their services offered any ATLAS formative mark.

B. Defendants' Issues of Fact

1. Whether Defendants used ATLAS in a manner that is likely to cause confusion as to the source, sponsorship, or endorsement of Defendants' services based on AWG's trademark rights in each of ATLAS (standing alone), the "A Logo" and "Atlas--the Agent's Van Lines". In determining whether Defendants' use is likely to cause confusion the following issues are to be considered:

- a. The strength of the mark.
- b. The relatedness of the goods offered by the parties.
- c. The similarity of the parties' marks.
- d. Whether there have been instances of actual confusion.
- e. Whether defendants intended to copy plaintiff's mark in selecting their mark.
- f. What marketing channels are used by the parties.
- g. What is the likely degree of purchaser care.
- h. Whether there is a likelihood of expansion of the product lines expressed to the market.

2. When AWG first used the ATLAS LOGISTICS mark in the marketplace.

3. Whether AWG has any protectable interest in ATLAS in the market segments in which Defendants' services are sold.

4. Whether AWG's ATLAS mark and ATLAS LOGISTICS create the same, continuing commercial impression such that consumers consider both ATLAS and ATLAS LOGISTICS the same mark.

5. Whether ATLAS LOGISTICS, as used by Defendants, is a "counterfeit" mark.

6. Whether AWG knew that the services offered under ATLAS LOGISTICS mark were "counterfeit."

7. Whether AWG had a good faith belief that its services offered under the ATLAS LOGISTICS mark were not counterfeit.

8. Whether AWG's conduct misled Defendants to believe that AWG would not bring an infringement suit; whether Defendants relied on AWG's misleading conduct; and whether Defendants suffered material prejudice as a result of that reliance.

9. Whether AWG intentionally relinquished or abandoned its right to bring suit against Defendants based on the conduct alleged in this case.

10. Whether AWG's conduct amounted to an assurance to Defendants, either express or implied, that AWG would not assert its trademark rights against Defendants based on the conduct alleged in this case.

11. Whether AWG has suffered an irreparable injury from Defendants' conduct.

12. Whether Defendants have suffered an irreparable injury from AWG's conduct.

13. Whether this case is exceptional.

14. The amount of profits earned by Atlas Trucking, LLC and Atlas Logistics, LLC that is attributable to the alleged infringement of each of Plaintiff's marks.

15. The amount of profits earned by AWG that is attributable to the AWG's alleged infringement of the ATLAS LOGISTICS mark.

16. Whether Defendants had the intent to confuse or deceive in the use of any marks.

17. Whether other remedies are adequate to address the issues raised by the case.

18. Whether Defendants palmed its services off as AWG's services.

VI. ISSUES OF LAW TO BE LITIGATED

A. Plaintiffs' Issues of Law

For Plaintiffs' Claims:

- Whether Defendants' use of one or more of the Infringing Marks violates Plaintiffs' rights under 15 U.S.C. § 1114(1).

- Whether Defendants’ use of one of more of the Infringing Marks violates Plaintiffs rights under 15 U.S.C. § 1125(a).
- Whether ATLAS LOGISTICS, as used by Defendants, is a “counterfeit mark” under the Lanham Act.
- The scope of injunctive relief Plaintiffs are entitled to for Defendants’ violations of the Lanham Act.

In Response to Defendant’s Counterclaim:

- Whether Atlas Logistics, LLC’s Counterclaim is barred by waiver, estoppel, and/or acquiescence.
- Whether Atlas Logistics, LLC’s Counterclaim is barred by its misrepresentations to Plaintiff in correspondence leading up to the filing of this lawsuit.
- Whether Atlas Logistics, LLC’s Counterclaim is barred by its unclean hands.
- The scope of injunctive relief, if any, that Atlas Logistics, LLC is entitled to for AWGI, LLC’s and Atlas Logistics, Inc.’s violations of the Lanham Act.

B. Defendants’ Issues of Law

1. Whether Defendants used the disputed mark or marks in a manner that is likely to cause confusion as to the source, sponsorship, or endorsement of Defendants’ services.

2. Whether the parties are entitled to the equitable relief sought.

3. Whether AWG’s claims are barred by Defendants’ affirmative defenses, including equitable estoppel, waiver, and acquiescence.

4. Whether AWG's federal registration for ATLAS LOGISTICS should be cancelled.

5. Whether, considering the balance of hardships of entering an injunction, a remedy in equity is warranted.

6. Whether the public interest would not be disserved by a permanent injunction.

7. The scope of the injunction, if any.

VII. EVIDENCE PROBLEMS LIKELY TO ARISE AT TRIAL

Plaintiffs currently anticipate the following evidentiary problems to arise at trial, which Plaintiffs may address by one or more motions *in limine*, depending upon further instruction from the Court:

- Whether the Court should permit Mr. Gunsberg to remain in the courtroom at any time other than his testimony, in view of Defendants' intention to call him as a fact witness.
- Whether Defendants should be permitted to call Plaintiffs' counsel Mark Warzecha as a witness.
- The admissibility of any testimony from Defendants' proffered expert David Neal.

- Whether Defendants should be permitted to introduce into evidence the deposition transcript of Mr. Ryan McConnell, a Vice President of Plaintiff Atlas Van Lines, Inc., who will attend trial and be a live witness in Plaintiffs' case-in-chief.
- Objections to Defendants' exhibits as indicated in the right-hand column of Exhibit 2.

Defendants anticipate filing motions *in limine* raising the following issues:

- One issue in this case is how the trademarks are viewed in the marketplace or by consumers. Defendants anticipate that AWG will seek to offer opinion testimony on this matter, hearsay evidence, testimony not based on personal knowledge, and/or other evidence not disclosed in the course of discovery and will seek to exclude this evidence.
- It is anticipated that AWG will seek to introduce evidence on what it believes to be actual confusion. Introduction of that evidence, as presently understood, will be improper under Fed. R. Evid. 402, 403, 602, and 802 and lack of foundation.
- It is anticipated that AWG will seek to introduce evidence on its expenditures to advertise and market using the marks at issue and the costs of providing services, including through the testimony of Jason Kempf, Phillip Wahl, and possibly others. Introduction of that evidence will be

improper because AWG failed to produce discovery on these matters. Introduction of that evidence will also be improper under Fed. R. Evid. 402, 403, 602, and 802.

- It is anticipated that AWG will seek to introduce evidence on the value of its service marks, including through the testimony of Jason Kempf and Stacie Banks. Introduction of that evidence will be improper under at least Fed. R. Evid. 402, 403, 602, and 701-703.
- It is anticipated that AWG will offer testimony that it is in the business of hauling steel or steel rods. However, AWG provided no evidence that AWG hauled steel or steel rods and Defendants will move to exclude testimony or evidence that AWG has, in the past, hauled steel or steel rods.
- Motion *in limine* under *Daubert* as to AWG's expert Krista F. Holt. Additionally, Ms. Holt's anticipated testimony, as presently understood, will be improper on the basis of Fed. R. Evid. 402, 403, and 702.
- Defendants request that neither of the parties be permitted to reference or provide testimony regarding the Court's prior orders in this case.

In addition, anticipated objections to proposed exhibits are identified in the below exhibit list. The parties have also listed their objections to testimony that may be introduced by deposition in the corresponding attachments. The parties reserve the right to assert additional objections that become evident as evidence is offered.

VIII. WITNESSES

A. For Plaintiffs

Plaintiffs intend to call as witnesses at trial:

1. Stacie Banks. VP Finance.
2. Krista Holt. Econ ONE Research, Inc. Expert testimony.
3. Mary Beth Johnson. Vice President of Corporate Marketing, Atlas Van Lines, Inc.
4. Ryan McConnell. Vice President, Strategic Planning, Atlas Van Lines, Inc.
5. Phillip Wahl. Senior VP, GM, Atlas Logistics, Inc.

Plaintiffs may call as witnesses at trial:

6. Mark Goodman
7. David Gunsberg, Esq.
8. John Lamarand
9. Jeff Bronson
10. Ben Freeman

B. For Defendants

Defendants *intend to call* as witnesses at trial:

1. The following employees or officers of Defendants who may be contacted through counsel for Defendants:
 - a. Mark Goodman
 - b. David Gunsberg, Esq.
 - c. John Lamarand
 - d. Jeff Bronson
 - e. Ben Freeman
2. David Neal (expert witness), Catalyst Behavioral Sciences, LLC, 2985 Jackson Ave., Miami, Florida 33133, (231) 300-5957.
3. Defendants will introduce, pursuant to Fed. R. Civ. P. 32(a)(3) the deposition testimony of AWG's corporate representative pursuant to Rule 30(b)(6). The parties have exchanged deposition designations and will exchange and work through their respective objections thereto.

Defendants *may call* as witnesses at trial:

4. The following employees or officers of Defendants who may be contacted through counsel for Defendants: Kevin Kline, Dan Bales, and Tom Iacovoni.
5. Mark F. Warzecha, Esq., outside counsel for AWG, Widerman Malek, PL, 1990 West New Haven Ave., Suite 201, Melbourne, Florida 32904; (321) 255-2332.

6. Todd A. Suter, Esq., AWG, 1212 Saint George Rd., Evansville, Indiana 47711.

IX. EXHIBITS

AWG's proposed trial exhibits are identified in attached Exhibit 1. The documents to which Defendants object are noted on the Exhibit List.

Defendants' proposed trial exhibits are identified in attached Exhibit 2. The documents to which Plaintiffs object are noted on the Exhibit List.

X. DAMAGES

By Stipulation (ECF 110), each Party has withdrawn all requests for monetary relief, including but not limited to requests for damages, disgorgement of profits, attorneys' fees, and costs. The Party that prevails at trial will seek only injunctive relief.

XI. TRIAL

- A. By Stipulation, this is a bench trial. (ECF 110.)
- B. Estimated Length of Trial:
 1. Plaintiffs' Case: Three trial days, on the understanding that the Court holds trial from 8:30 a.m. to 1:00 p.m.
 2. Defendant's Case: Six trial days.

XII. SETTLEMENT

The parties have conferred and continue to consider the possibility of settlement. The parties most recent place and date of negotiations was on April 26, 2019 at the courthouse. The parties have not resolved the case through negotiation. The parties do not wish the Court to schedule a settlement conference.

XIII. JURY INSTRUCTIONS AND OTHER TRIAL SUBMISSIONS

The Parties recommend that they file their respective proposed findings of fact and conclusions of law one week before trial.

XIV. ACKNOWLEDGMENT REGARDING JURY EXPENSES.

Not applicable.

IT IS SO ORDERED.

Dated: August 26, 2019

s/Sean F. Cox
Sean F. Cox
U. S. District Judge

Stipulated and agreed to as to form and content:

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Exhibit I**Plaintiffs' Exhibit List**

Exh. No.	Bates No.	Summary	Bases for Defendants' Objections, if Any
A	AWGI000001- AWGI000002	Notice of Acceptance and Renewal for Sections 8 & 9 for "ATLAS--THE AGENTS' VAN LINE" dated 10/01/2009	
B	AWGI000003- AWGI000009	Combined Declaration of Use and/or Excusable Nonuse/Application for Renewal of Registration of a Mark under Sections 8 & 9 for "ATLAS--THE AGENTS' VAN LINE" dated 09/29/2009	
C	AWGI000010	Registration Certificate for "ATLAS--THE AGENTS' VAN LINE" dated 04/10/1990	
D	AWGI000011- AWGI000014	TSDR printout for "A ATLAS" (design mark)	
E	AWGI000015	Notice of Acceptance and Renewal for Sections 8 & 9 for "A ATLAS" (design mark) dated 11/17/2016	
F	AWGI000016- AWGI000024	Combined Declaration of Use and/or Excusable Nonuse/Application for "A Atlas" Renewal of Registration of a Mark under Sections 8 & 9	
G	AWGI000025	USPTO Courtesy Reminder of Required Trademark Registration Maintenance Filings Under Section 8 and 9 for "A Atlas" (design mark)	
H	AWGI000026	Notice of Acceptance and Renewal for Sections 8 & 15 for "A ATLAS" (design mark) dated 09/29/2011	
I	AWGI000027- AWGI000035	Combined Declaration of Use and Incontestability under Sections 8 & 15 for "A Atlas" (design mark) dated 09/12/2011	

Exhibit F**Plaintiffs' Exhibit List**

J	AWGI000036	Registration Certificate for “A ATLAS” (design mark) dated 09/05/2006	
K	AWGI000037	Examiner’s Amendment for “A ATLAS” (design mark)	
L	AWGI000081- AWGI000083	Filing Receipt For Trademark Application for “A ATLAS” (design mark) dated 3/16/2004	
M	AWGI000087- AWGI000089	TSDR printout for “Atlas”	
N	AWGI000090	Notice of Acceptance and Acknowledgement for Sections 8 & 15 for “ATLAS” dated 10/09/2015	
O	AWGI000091- AWGI000099	Combined Declaration of Use and Incontestability under Sections 8 & 15 for “ATLAS” dated 09/01/2015	
P	AWGI000100	Registration Certificate for “ATLAS” dated 12/01/2009	
Q	AWGI000110- AWGI000117	TEAS Plus Application for “Atlas” dated 04/24/2009	
R	AWGI000118- AWGI000120	TSDR Printout for “Atlas Logistics”	
S	AWGI000121- AWGI000123	Registration Certificate for “Atlas Logistics” dated 05/19/2015	
T	AWGI000213- AWGI000242	TEAS Plus Application for “Atlas Logistics” dated 03/06/2014	
U	AWGI000243- AWGI000244	Padded-Van Transportation pamphlet for “Atlas Logistics”	Fed. R. Evid. 901 (authenticity; document not dated)
V	AWGI000248- AWGI000250	Atlas Logistics Freight Brokerage pamphlet	

Exhibit I**Plaintiffs' Exhibit List**

W	AWGI000251- AWGI000253	Atlas Logistics Supply Chain Management pamphlet	Fed. R. Evid. 901 (authenticity; document not dated)
X	AWGI000254- AWGI000309	Atlas World Group 50 th Annual Corporate Relocation Survey Results	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
Y	AWGI000310- AWGI000312	January 10, 2012 Cease and Desist Letter from AWGI to Atlas Trucking and Atlas Logistics	
Z	AWGI000313- AWGI000315	January 23, 2012 Response to Cease and Desist Letter from Atlas Trucking and Atlas Logistics to AWGI	
A1	AWGI000316- AWGI000317	November 17, 2016 Cease and Desist Letter from AWGI to Atlas Trucking and Atlas Logistics	
B1	AWGI000318	Screenshot of Atlas Trucking's Twitter page referencing eatonsteel.com	Objection only to annotation added by Plaintiffs
C1	AWGI000319- AWGI000320	Screenshots of Eaton Steel's website	Objection only to annotation added by Plaintiffs
D1	AWGI000321- AWGI000349	2017 version of Transport Topics Top 100 magazine	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
E1	AWGI000350- AWGI000353	Atlas' Real People Real Moving pamphlet	
F1	AWGI000354	Atlas Logistics "Go. Anywhere you want. Everywhere you need." page from pamphlet	Fed. R. Evid. 802 (hearsay)
G1	AWGI000355- AWGI000375	Screenshots of Atlas Logistics website and its pages for "AWG Logistics" and "Titan Global Distribution"	Fed. R. Evid. 901 (authenticity; document not dated)

Exhibit I**Plaintiffs' Exhibit List**

H1	AWGI00376	Atlas Logistics pamphlet page re: “New Synergy in Atlas Logistics”	Fed. R. Evid. 403 (objection based solely on legibility of document and date contained therein)
I1	AWGI000377- AWGI000380	Atlas Logistics brochure	
J1	AWGI000381- AWGI000387	Atlas Logistics screenshots of website	
K1	AWGI000388	Logistics page from pamphlet for Atlas Van Lines	
L1	AWGI000398- AWGI000399	Long sleeved shirt with “A Atlas” and “go new places” Trademarks	
M1	AWGI000405- AWGI000453	ATTORNEYS’ EYES ONLY - Atlas Van Lines, Inc. Specialized Transportation Group Tariff ATVL 500 dated 07/01/199	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
N1	AWGI000454- AWGI000535	ATTORNEYS’ EYES ONLY - Atlas Van Lines, Inc. Household Goods Tariff No.: ATVL100TR issued 04/15/2017 effective 05/15/2017	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
O1	AWGI000536- AWGI000544	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER —Standard Operating Procedure manuals re: Records_Rev: H	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
P1	AWGI000545- AWGI000549	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER —Standard Operating Procedure manuals re: Records_Rev: J	
Q1	AWGI000561- AWGI000565	Domain List	

Exhibit F**Plaintiffs' Exhibit List**

R1	AWGI000566- AWGI000573	HIGHLY CONFIDENTIAL, ATTORNEY WORK PRODUCT, ATTORNEYS' EYES ONLY - Load Board Screenshot	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered); Fed. R. Evid. 901 (authentication)
S1	AWGI000574- AWGI000596	Amplified Magazine_Volume 54, Winter 2006	Fed. R. Evid. 802 and 402/403, subject to Fed. R. Evid. 105 (hearsay and relevance, depending on purpose offered)
T1	AWGI000597- AWGI000598	Atlas Logistics pamphlet	Fed. R. Evid. 802 (hearsay), 901 (authentication)
U1	AWGI000599- AWGI000600	Electronics pages from Atlas magazine	Fed. R. Evid. 802 (hearsay), 901 (authentication), and 106 (incomplete document)
V1	AWGI000601- AWGI000602	Exhibits pages from Atlas magazine	
W1	AWGI000603- AWGI000604	Fine Art pages from Atlas magazine	
X1	AWGI000627- AWGI000630	Atlas Specialized Transportation Group Brochure	
Y1	AWGI000631- AWGI000654	Specialized Transportation Group presentation	
Z1	AWGI000655- AWGI000656	Atlas Van Lines_Special Products Division "Atlas Trade Show Coordinators Take Care of All the Details" pamphlet	
A2	AWGI000657- AWGI000658	Atlas Van Lines_Special Products Division "Exhibitguard The Ultimate in Protection for Your Exhibit. ..." pamphlet	

Exhibit I**Plaintiffs' Exhibit List**

B2	AWGI000659- AWGI000660	Atlas Van Lines_Special Products Division “One of the Best Reasons to Move to Atlas is the Professional Behind the Wheel” pamphlet	
C2	AWGI000661- AWGI000662	Atlas Van Lines_Special Products Division “Every Atlas Special Products Unit has the Right Equipment to Give Your Shipment the Very Best of Care” pamphlet	
D2	AWGI000663- AWGI000664	Atlas Van Lines_Special Products Division “Atlas Handles your Special Shipments with Care We’re Used to Heavy Responsibilities” pamphlet	
E2	AWGI000665- AWGI000666	Atlas Van Lines_Special Products Division “Atlas Tractor/Trailer Air-Ride Suspension Protects Your Loads from Shock, Vibration” pamphlet	
F2	AWGI000667- AWGI000668	Atlas Van Lines_Special Products Division “World-Class Atlas. We’re the Uncommon Carrier” pamphlet	
G2	AWGI000669- AWGI000670	Atlas Van Lines_Special Products Division “Atlas Climate Control Makes your Shipment Feel at Home while It’s in Transit” pamphlet	
H2	AWGI000671- AWGI000675	Atlas Van Lines “Atlas Specialized Transportation” Brochure 1988	
I2	AWGI000676- AWGI000677	Atlas Van Lines “World-Class Moving for Truckload Shipments” Brochure 1988	
J2	AWGI000678- AWGI000679	Atlas Van Lines “World-Class Moving for Electronic Products” Brochure 1988	
K2	AWGI000680- AWGI000683	Atlas brochure (first page is “This is the puppy...”) 2003	Fed. R. Evid. 106 (incomplete document; but see Ex. M2)

Exhibit I

Plaintiffs' Exhibit List

L2	AWGI000684- AWGI000686	the Atlas Amplifier_Volume 50 Fall 2002	
M2	AWGI000687- AWGI000695	Atlas brochure (first page is “This is the puppy...”) 2003	
N2	AWGI000697- AWGI000705	Atlas brochure (first page is “This is the puppy...”)	Fed. R. Evid. 901 (authenticity; document not dated); Fed. R. Evid. 103 (redundant, waste of time)
O2	AWGI000706- AWGI000720	the Atlas Amplifier_Volume 50 Fall 2002	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
P2	AWGI000721- AWGI000746	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER – Multiple letters from Atlas to Agencies re: terminating agreements	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
Q2	AWGI000760- AWGI000763	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER – Performance Evaluation Definitions	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
R2	AWGI000764- AWGI000767	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER – Quality Administration-System Administration_Work Instruction	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
S2	AWGI001093- AWGI001112	Screenshots of atlasvanlines.com	
T2	AWGI001113- AWGI001125	Screenshots of atlaslogistics.com	
U2	AWGI001126	ATTORNEYS’ EYES ONLY – list of shipping codes	

Exhibit F**Plaintiffs' Exhibit List**

V2	AWGI001127- AWGI0001237	ATTORNEYS' EYES ONLY – Expert Report of Krista F. Holt	Fed. R. Evid 802 (hearsay), 402/403 (relevancy), <i>Daubert</i>
W2	AWGI001238- AWGI001268	HIGHLY CONFIDENTIAL INFORMATION, ATTORNEYS' EYES ONLY – multiple Invoices to Atlas Logistics, Atlas World Group, Atlas Van Lines, and Avail Move Management	Fed. R. Evid 901 (authentication), 802 (hearsay), 402/403 (relevancy)
X2	AWGI001269	wayback machine for atlastrucking.com on January 14, 2011	
Y2	AWGI001270	wayback machine for atlastrucking.com on August 18, 2012	
Z2	AWGI001280	ATTORNEYS' EYES ONLY – List of advertising costs (2006-2018)	Fed. R. Evid 901 (authentication), 802 (hearsay), 402/403 (relevancy), 106 (incomplete document), 1006 (improper summary, no disclosure of underlying documents)
A3	AWGI006472- AWGI006913	HIGHLY CONFIDENTIAL INFORMATION SUBJECT TO PROTECTIVE ORDER, ATTORNEYS' EYES ONLY – multiple Atlas' Specialized Transportation Bills of Lading	Fed. R. Evid 901 (authentication), 802 (hearsay), 402/403 (relevancy)
B3	AWGI006914- AWGI006915	Email from Atlas Logistics to Atlas World Group re: no credit issues	Fed. R. Evid 901 (authentication), 802 (hearsay), 402/403 (relevancy)
C3	ATC_00001- 00002	Screen shot of Eaton Steel's website_blog pages, "Why Should The Forging Industry Choose Eaton Steel Bar Company? Simply Put, Value." dated 11/14/2012	
D3	ATC_00003- 00004	Screen shot of Eaton Steel's website_Affiliates pages	

Exhibit I**Plaintiffs' Exhibit List**

E3	ATC_00005	Screen shot of Eaton Steel's website_blog page, "Atlas Truck Takes Second Place At Hartford Old Engine & Tractor Show" dated 09/11/2012	
F3	ATC_00006	Screen shot of Atlas Trucking & Logistics' website_main page	
G3	ATC_00007-00008	Screen shot of Eaton Steel's website_Atlas Trucking & Logistics pages	
H3	ATC_00009-ATC_00010	Screen shot of Eaton Steel's website_Careers pages	
I3	ATC_00011-ATC_00012	Screen shot of Eaton Steel's website_Steel Supply Chain Specialists pages	
J3	ATC_00013-ATC_00014	Screen shot of Eaton Steel's website_blog pages, "Eaton Steel Bar Company & Atlas Logistics Welcome New Employees To Kick Off 2013." dated 01/04/2013	
K3	ATC_00015-ATC_00016	Screen shot of Eaton Steel's website_blog pages, "Eaton Steel Bar Company One Of Michigan's Top Workplaces." dated 11/18/2013	
L3	ATC_00017-ATC_00018	Screen shot of Eaton Steel's website_blog pages, "Eaton Steel Bar Spotlight In February Production Machining." dated 02/10/2017	
M3	ATC_00019-ATC_00022	Screen shot of Eaton Steel's website_Eaton Steel Family of Companies pages	
N3	ATC_00023-ATC_00024	Screen shot of Eaton Steel's website_blog pages, "Eaton Steel Family Of Companies Welcomes New Additions." dated 11/04/2013	

Exhibit F**Plaintiffs' Exhibit List**

O3	ATC_00025- ATC_00026	Screen shot of Eaton Steel's website_Freight and Fuel Surcharges pages	
P3	ATC_00027- ATC_00028	Screen shot of Eaton Steel's website_About pages	
Q3	ATC_00029- ATC_00030	Screen shot of Eaton Steel's website_Forms pages	
R3	ATC_00031- ATC_00034	Screen shot of Eaton Steel's website_Get A Quote pages	
S3	ATC_00035- ATC_00036	Screen shot of Eaton Steel's website_History pages	
T3	ATC_00037- ATC_00038	Screen shot of Eaton Steel's website_J.I.T. Steel Bar Delivery pages	
U3	ATC_00039	Screen shot of Eaton Steel's website_Job Openings page	
V3	ATC_00040	Screen shot of Eaton Steel's website_Carriers page	
W3	ATC_00041	Screen shot of Eaton Steel's website_Drivers page	
X3	ATC_00042	Screen shot of Eaton Steel's website_Blog page	
Y3	ATC_00043- ATC_00044	Screen shot of Eaton Steel's website_Contact pages	
Z3	ATC_00045	Screen shot of Eaton Steel's website_Privacy Policy page	
A4	ATC_00046	Screen shot of Eaton Steel's website_Service Area page	
B4	ATC_00047- ATC_00048	Screen shot of Eaton Steel's website_Steel Supply Chain Services & Solutions pages	

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Plaintiffs' Exhibit List

C4	ATC_00049- ATC_00050	Screen shot of Eaton Steel's website_Steel Supply Chain Specialists pages	
D4	ATC_00051- ATC_00053	Screen shot of Eaton Steel's website_Terms & Conditions pages	
E4	ATC_00054- ATC_00443	HIGHLY CONFIDENTIAL & ATTORNEYS' EYES ONLY _documents showing services provided by Atlas Trucking, LLC and Atlas Logistics, LLC over the past five years	
F4	ATC_00444- ATC_00455	FMCSA Motor Carrier report on Atlas Logistics Inc._dated 10/18/2017	
G4	ATC_00519	US Department of Transportation Federal Motor Carrier Safety Administration License for Atlas Logistics LLC	
H4	ATC_00520	Atlas Logistics LLC's invoice to Excellent Transport Inc. for one "conversion item" totaling \$1,176.50 dated 09/16/2005	
I4	ATC_00521	Atlas Logistics LLC's invoice to Stanley Tools for one "conversion item" totaling \$735.31 dated 09/23/2005	
J4	ATC_00534	W-9 for Atlas Trucking Company LLC_dated 01/27/2015	
K4	ATC_00538	W-9 for Atlas Logistics Company LLC_dated 06/23/2017	
L4	ATC_00549	Wayback machine screenshot of Atlas Trucking LLC's home page dated 03/11/2011	
M4	ATC_00738	Photograph of Atlas Trucking Co. truck door_red	
N4	ATC_00739	Photograph of back of Atlas Trucking Company trailer_purple	

Exhibit I**Plaintiffs' Exhibit List**

O4	ATC_00740	Photograph of Atlas Trucking Company cover on trailer_purple	
P4	ATC_00741	Photograph of Atlas Trucking Company cover on trailer_purple	
Q4	ATC_00742	Photograph of Atlas Trucking Company cover on trailer_black,	
R4	ATC_00743	Photograph of Atlas Trucking Company cover on trailer_black	
S4	ATC_00744	Photograph of side of Atlas Trucking LLC trailer_purple	
T4	ATC_00745	Photograph of side of Atlas Trucking Company trailer_black	
U4	ATC_00746	Photograph of side of Atlas Logistics LLC trailer_purple	
V4	ATC_00747	Photograph of back of Atlas Trucking LLC trailer_white	
W4	ATC_00748	Photograph of front and side of Atlas Logistics LLC trailer_purple	
X4	ATC_00749	Photograph of side of Atlas Trucking LLC trailer_white	
Y4	ATC_00750	Photograph of side of Atlas Trucking LLC trailer_white	
Z4	ATC_00751	Photograph of Atlas Trucking LLC truck door_orange	
A5	ATC_00752	Photograph of "Atlas" truck door_red [note: Atlas Trucking logo with just the logo word "Atlas", not "Trucking LLC"]	

Exhibit I**Plaintiffs' Exhibit List**

B5	ATC_00770	Attorneys' Eyes Only_Excel Spreadsheets for years 2017	
C5	ATC_00771	Attorneys' Eyes Only_Excel Spreadsheets for years 2018	
D5	ATC_02260- ATC_02262	Restricted Confidential & Attorneys' Eyes Only_Emails at Atlas Trucking & Logistics, LLC re: Incoming client confusion calls_dated 09/06/2017	
E5	ATC_02263- ATC_02264	Restricted Confidential & Attorneys' Eyes Only_Emails at Atlas Trucking & Logistics, LLC re: Incoming client confusion calls_dated 08/28/2017	
F5	ATC_02265- ATC_02266	Restricted Confidential & Attorneys' Eyes Only _Emails at Atlas Trucking & Logistics, LLC re: call from Police officer in IN regarding truck parked in front of residence_DOT# went back to Atlas Van Lines_dated 08/24/2017	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
G5	ATC_02267- ATC_02268	Restricted Confidential & Attorneys' Eyes Only_Emails at Atlas Trucking & Logistics, LLC re: Incoming client confusion calls_dated 08/24/2017	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
H5	ATC_02269- ATC_02271	Restricted Confidential & Attorneys' Eyes Only_Web Program Agreement between WebArt and Atlas Trucking & Logistics_dated 12/12/2017	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
I5	ATC_02272- ATC_02284	Restricted Confidential & Attorneys' Eyes Only_Digital Marketing Recommendation Proposal from WebArt for Atlas Trucking & Logistics_dated 09/18/2017	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)

Exhibit I**Plaintiffs' Exhibit List**

J5	ATC_02285- ATC_02286	Restricted Confidential & Attorneys' Eyes Only_List of transported items	Fed. R. Evid 901 (authentication), 802 (hearsay), 402/403 (relevancy, confusion)
K5	ATC_02609	Email from John Lamarand (Atlas Trucking, L.L.C.) re: woman in NJ ran off the road by an "Atlas" truck	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
L5	ATC_02610	Email from Rick Sherrer (Atlas Trucking, L.L.C.) to John Lamarand re: confused customer from Memphis TN looking for Atlas Van Lines_dated 03/26/2018	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
M5	AWGI000556- AWGI000560	Atlas Van Lines International Corp.'s freight forwarder application 1972	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
N5	AWGI000611- AWGI000626	Slides from Plaintiffs' 57 th Annual Convention 2004	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
O5	AWGI000605	Employment title history 2000	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
P5	ATC_000512- 13	Atlas Van Lines Inc., Company Snapshot	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
Q5	ATC_00508- 09	Atlas Trucking Company, Company Snapshot	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)
R5	AWGI000355- 97	Screenshots	Fed. R. Evid 402/403 (relevancy and redundancy); improper compilation of multiple exhibits.
S5	AWGI02605- 08	Transport Topics	Fed. R. Evid 802 (hearsay), 402/403 (relevancy)

Exhibit 2**Defendants' Exhibit List**

Ex. No.	Description	Objections
1	Defendants' Second Amended Notice of 30(b)(6) Deposition of AWGI, LLC, Atlas Logistics, Inc. and Atlas Van Lines, Inc. (Dep. Ex. 1)	F.R.E. 402, 403.
2	AWGI's Verified Complaint	F.R.E. 402, 403.
3	Website excerpts from https://www.atlasvanlines.com/ (Dep. Ex. 3)	F.R.E. 106, 802.
4	AWGI 50 th Annual Corporate Relocation Survey Results (Dep. Ex. 4)	
5	Prosecution History for '117 Trademark Registration for ATLAS (Dep. Ex. 5)	F.R.E. 402, 403.
6	B&W Photo – Tractor-Trailer (Dep. Ex. 6)	F.R.E. 402, 403, 602, 802, 901.
7	B&W Photo – Tractor-Trailer (Dep. Ex. 7)	F.R.E. 402, 403, 602, 802, 901.
8	Color Photo – Toy Truck "Atlas Van Lines, Inc. Worldwide Moving." (Dep. Ex. 8)	F.R.E. 402, 403, 602, 802, 901.
9	Color Photo – Toy Truck "Atlas Van Lines, Inc. Local and long distance moving." (Dep. Ex. 9)	F.R.E. 402, 403, 602, 802, 901.
10	Color Photo – Matchbox (Dep. Ex. 10)	F.R.E. 402, 403, 602, 802, 901.
11	Bizapedia Screenshots (Dep. Ex. 11)	F.R.E. 402, 602, 901.
12	Letter from Mark Warzecha to Mark Goodman, January 10, 2012	
13	Letter from John VanOphem to Mark Warzecha, January 23, 2012	
14	Letter from Mark Warzecha to Atlas Trucking Company and Dobrusin & Thennisch PC, November 17, 2016	
15	Screenshot of Atlas Trucking, L.L.C. – March 11, 2011 (Dep. Ex. 15)	F.R.E. 802, 602, 901.
16	Screenshot of Atlas "About" Webpage (Dep. Ex. 16)	F.R.E. 802, 602, 901.
17	FMCSA – Types of Operating Authority (Dep. Ex. 17)	F.R.E. 402.
18	SAFER Web Company Snapshot – Atlas Van Lines Inc (Dep. Ex. 18)	F.R.E. 402.
19	SAFER Web Company Snapshot – Atlas Trucking Company LLC (Dep. Ex. 19)	F.R.E. 402.

Exhibit 2**Defendants' Exhibit List**

20	Transport Topics Top 100 2017 (Dep. Ex. 20)	
21	Consumer Affairs – Atlas Van Lines Reviews (Dep. Ex. 22)	F.R.E. 402, 403, 602, 802, 901.
22	FMCSA “What are the definitions of motor carrier, broker and freight forwarder authorities?” (Dep. Ex. 24)	
23	Instructions for Completing Form OP-1 (FF) Application for Freight Forwarder Authority (Dep. Ex. 25)	
24	FMCSA Motor Carrier – Atlas Van Lines International Corp. (Dep. Ex. 26)	F.R.E. 402, 403, 602, 802, 901.
25	FMCSA Motor Carrier – Atlas Van Lines, Inc. (Dep. Ex. 27)	F.R.E. 402, 403, 602, 802, 901.
26	FMCSA Motor Carrier – Atlas Van Lines, Inc. (Dep. Ex. 28)	F.R.E. 402, 403, 602, 802, 901.
27	Department of Transportation Office of Motor Carrier Safety Permit – Atlas Trucking Company, LLC (Dep. Ex. 29)	F.R.E. 402, 403, 602, 802, 901.
28	Prosecution History for '616 Trademark Registration for ATLAS LOGISTICS (Dep. Ex. 30)	F.R.E. 402, 403.
29	Bizapedia Screenshots (Dep. Ex. 31)	F.R.E. 106, 402, 403, 602, 802, 901.
30	Atlas Logistics Website Screenshot (Dep. Ex. 32)	F.R.E. 602, 802, 901.
31	State of Indiana Office of the Secretary of State – Certificate of Incorporation of Atlas Relocation Services, Inc. (Dep. Ex. 33)	F.R.E. 402, 403, 602, 802, 901.
32	State of Indiana Office of the Secretary of State – Certificate of Amendment of Atlas Relocation Services, Inc. to AWG Logistics, Inc. (Dep. Ex. 34)	F.R.E. 402, 403, 602, 802, 901.
33	State of Indiana Office of the Secretary of State – Certificate of Amendment of Atlas Relocation Services, Inc. to Atlas Logistics, Inc. (Dep. Ex. 35)	F.R.E. 402, 403, 602, 802, 901.
34	Atlas Investment Company, Inc. – Examiner’s Amendment (Dep. Ex. 36)	F.R.E. 402, 403.
35	Logo (2) Comparison (Dep. Ex. 37)	F.R.E. 701.
36	Logo (3) Comparison (Dep. Ex. 38)	F.R.E. 701.

Exhibit 2**Defendants' Exhibit List**

37	Logo (4) Comparison (Dep. Ex. 39)	F.R.E. 701.
38	Atlas Investment Company, Inc. Notice of Acceptance & Notice of Renewal (Dep. Ex. 40)	
39	Atlas Van Lines, Inc. Chart B (Organizational Chart) (Dep. Ex. 41)	F.R.E. 402, 403.
40	Tariff ATVL 500 (Dep. Ex. 42)	
41	Tariff ATVL 1000TR (Deposition Exhibit 43)	
42	Monthly Data Studies (Deposition Exhibit 44)	
43	Defendants' May 16, 2018 Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6) to Plaintiffs	F.R.E. 402, 403.
44	Transport Topics excerpt (Dep. Ex. 51)	
45	AWGI promotional material (Dep. Ex. 52)	
46	AWGI promotional material (Dep. Ex. 53)	
47	"Getting it There", Atlas Logistics News (Oct. 20, 2014), www.atlaslogistics.com/information-center/news/getting-it-there (Dep. Ex. 54)	
48	"Pursuing the Vision", Atlas Logistics News (Oct. 28, 2014) https://www.atlaslogistics.com/information-center/news/pursuing-the-vision (Dep. Ex. 55)	
49	"Partnership Solves Complex Logistics Equation", Atlas Logistics News (Oct. 10, 2013) https://www.atlaslogistics.com/information-center/news/partnership-solves-complex-logistics-equation	
50	"One to Win", Atlas Logistics News (Nov. 6, 2015) https://www.atlaslogistics.com/information-center/news/one-to-win (Dep. Ex. 57 and 58)	
51	AWGI promotional material (Dep. Ex. 59)	
52	Deposition Exhibit 60	
53	AWGI Powerpoint Presentation (Dep. Ex. 62)	
54	AWGI Revenue by year, Process Shipments, 01/01/2006 - 02/28/2018 (excluding Household Goods, Office Goods, and Auto's) (Dep. Ex. 63)	F.R.E. 402, 403, 602, 802, 901.

Exhibit 2**Defendants' Exhibit List**

55	https://web.archive.org/web/20130217162658/http://atlaslogistics.com/ accessed June 1, 2018 (Dep. Ex. 64)	F.R.E. 402, 403, 602, 802, 901.
56	https://web.archive.org/web/20130530102844/http://atlaslogistics.com/ accessed June 1, 2018 (Dep. Ex. 65)	F.R.E. 402, 403, 602, 802, 901.
57	https://web.archive.org/web/201305080420/http://atlaslogistics.com/ accessed June 1, 2018 (Dep. Ex. 66)	F.R.E. 402, 403, 602, 802, 901.
58	https://web.archive.org/web/20140517003316/http://atlaslogistics.com/ accessed June 1, 2018 (Dep. Ex. 67)	F.R.E. 402, 403, 602, 802, 901.
59	"History of Atlas, 2010 - 2009" http://www.atlasvanlines.com/about-atlas/history accessed June 1, 2018 (Dep. Ex. 68)	F.R.E. 402, 403, 602, 802, 901.
60	"History of Atlas, 2010 - 2019" http://www.atlasvanlines.com/about-atlas/history accessed June 1, 2018 (Dep. Ex. 69)	F.R.E. 402, 403, 602, 802, 901.
61	Plaintiffs' Answers to Defendants' First Set of Interrogatories (1-8)	
62	Plaintiffs' Unverified Answers to Defendants' Second Set of Interrogatories (9-16)	
63	Plaintiffs' Responses to Defendants' First Set of Request for Production of Documents and Things (1-23)	
64	Plaintiffs' Responses to Defendants' Second Set of Request for Production of Documents and Things (24-25)	
65	Plaintiffs' Supplemental Answers to Defendants' First Set of Interrogatories (1-8)	
66	Atlas Van Lines, Local Movers web page, https://www.atlasvanlines.com/moving-companies/local-movers-locations as accessed on 8/28/2018	F.R.E. 402, 403, 602, 802, 901.
67	Atlas Trucking Company, Logistics services webpage, https://www.atlastrucking.com/services/logistics-services/ as accessed 8/28/2018	F.R.E. 402, 403, 602, 802, 901.

Exhibit 2**Defendants' Exhibit List**

68	Atlas Trucking About Us Website 2012	F.R.E. 402, 403, 602, 802, 901.
69	Atlas Trucking About Us Website 2011	F.R.E. 402, 403, 602, 802, 901.
70	Search Engine results page for "Atlas Shipping" and "Atlas Transportation" (10/9/2018)	F.R.E. 402, 403, 602, 802, 901.
71	Categorization of customers for Atlas Trucking Company and Atlas Trucking, LLC [Exhibit A to expert report of David Neal]	F.R.E. 81, 402, 403, 602, 702, 802, 901.
72	Table 1 from expert report of David Neal	F.R.E. 81, 402, 403, 602, 702, 802, 901.
73	Table 2 from expert report of David Neal	F.R.E. 81, 402, 403, 602, 702, 802, 901.
74	Table 3 from expert report of David Neal	F.R.E. 81, 402, 403, 602, 702, 802, 901.
75	Table 4 from expert report of David Neal	F.R.E. 81, 402, 403, 602, 702, 802, 901.
76	Table 5 from in expert report of David Neal	F.R.E. 81, 402, 403, 602, 702, 802, 901.
77	Trademark Reg. No. 1,591,344 for "Atlas--The Agents' Van Line"	
78	Trademark Reg. No. 3,137,526 for an Atlas "A" logo	
79	Trademark Reg. No. 3,718,117 for "Atlas"	
80	Trademark Reg. No. 4,737,616 for "Atlas Logistics"	
81	Trademark Reg. No. 3,476,629 for "Tele Atlas Logistics"	
82	Cancellation of Trademark Reg. No. 3,476,629 for "Tele Atlas Logistics" dated December 31, 2014	F.R.E. 402, 403, 602, 802, 901.
83	"New Synergy in Atlas Logistics," Amplifier (Oct. 10 2013) https://www.atlasvanlines.com/amplifier/logistics/new-synergy-in-atlas-logistics , accessed 7/30/2019	F.R.E. 402, 403.
84	"Enter the Titan," Atlas Amplifier (Winter 2016) [AWGI000582]	

Exhibit 2**Defendants' Exhibit List**

85	Fed. R. Evid. 1006 Compilation of Federal Trademark applications for mark containing ATLAS	F.R.E. 402, 403, 602, 802, 901.
86	Fed. R. Evid. 1006 Compilaton of Registered marks containing word ATLAS	F.R.E. 402, 403, 602, 802, 901.
87	Google Search Engine Results Page for search term <Atlas> accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
88	Google Search Engine Results Page for search term <Atlas Shipping> accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
89	Google Search Engine Results Page for search term <Atlas transport> accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
90	Screenshot of https://www.eatonsteel.com/ accessed on 8/14/2019	
91	Screenshot of https://www.eatonsteel.com/steel-supply-chain-services.html accessed on 8/14/2019	
92	Screenshot of https://www.eatonsteel.com/jit-delivery.html accessed on 8/14/2019	
93	Screenshot of https://www.eatonsteel.com/history.html accessed on 8/14/2019	
94	Screenshot of https://www.eatonsteel.com/affiliates.html accessed on 8/14/2019	
95	Screenshot of https://www.eatonsteel.com/eaton-steel-family-of-companies.html accessed on 8/14/2019	
96	Screenshot of https://vimeo.com/eatonsteel accessed on 8/14/2019	
97	Screenshot of https://vimeo.com/249723415 accessed on 8/14/2019, including video contained therein	F.R.E. 602, 802, 901.
98	Screenshot of https://vimeo.com/124659037 accessed on 8/14/2019, including video contained therein	F.R.E. 602, 802, 901.
99	Screenshot of https://www.atlastrucking.com/ accessed on 8/14/2019	
100	Screenshot of https://www.atlastrucking.com/our-customers/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.

Exhibit 2**Defendants' Exhibit List**

101	Screenshot of https://www.atlastrucking.com/our-customers/customer-gallery/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
102	Screenshot of https://www.atlastrucking.com/services/trucking-services/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
103	Screenshot of https://www.atlastrucking.com/services/logistics-services/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
104	Screenshot of https://www.atlastrucking.com/safety/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
105	Screenshot of http://web.archive.org/web/20110128150544/http://atlaslogisticsllc.com/atlas/index.html accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
106	Screenshot of http://web.archive.org/web/20120818081953/http://www.atlastrucking.com:80/atlas/index.html accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
107	Screenshot of http://web.archive.org/web/20120614163914/http://www.atlastrucking.com:80/atlas/index.html accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
108	Screenshot of https://web.archive.org/web/20070122082109/http://www.titan-global.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
109	Screenshot of https://web.archive.org/web/20070627002614/http://www.titan-global.com:80/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
110	Screenshot of https://web.archive.org/web/20070122082109/http://www.titan-global.com:80/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
111	Screenshot of https://www.atlasworldgroupinc.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
112	Screenshot of http://web.archive.org/web/20140212172120/http://www.atlasworldgroupinc.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.

Exhibit 2**Defendants' Exhibit List**

113	Screenshot of http://web.archive.org/web/20141215122309/http://www.atlasworldgroupinc.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
114	Screenshot of https://www.atlasworldgroupinc.com/affiliates accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
115	Screenshot of http://web.archive.org/web/20141009102958/http://www.atlasworldgroupinc.com:80/affiliates/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
116	Screenshot of http://web.archive.org/web/20141120100336/http://www.atlasworldgroupinc.com:80/affiliates accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
117	Screenshot of http://web.archive.org/web/20111002061138/http://www.atlasworldgroupinc.com/special-logistics/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
118	Screenshot of https://www.atlaslogistics.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
119	Screenshot of http://web.archive.org/web/20140517003316/http://atlaslogistics.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
120	Screenshot of http://web.archive.org/web/20131105080420/http://atlaslogistics.com:80/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
121	Screenshot of http://web.archive.org/web/20131104031330/http://awglogistics.com:80/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
122	Screenshot of http://web.archive.org/web/20131104030743/http://awglogistics.com/transportation accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.

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123	"Atlas Logistics Names New Vice President of Business Development" (5/26/2015), https://www.atlaslogistics.com/information-center/press-releases/atlas-logistics-names-new-vice-president-of-busine accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
124	Screenshot of https://web.archive.org/web/20131017072637/http://www.atlasvanlines.com/logistics/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
125	Screenshot of https://web.archive.org/web/20131106065549/http://www.atlasvanlines.com/logistics/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
126	Screenshot of https://web.archive.org/web/20101227114239/http://www.atlasvanlines.com/ accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
127	Screenshot of https://www.atlasvanlines.com/moving-companies accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
128	Screenshot of https://www.atlasvanlines.com/international accessed on 8/14/2019	F.R.E. 402, 403, 602, 802, 901.
129	Screenshot of https://www.atlasvanlines.com/about-atlas/history accessed on 8/14/2019 (including full company history)	F.R.E. 402, 403, 602, 802, 901.
130	"Quest for Quality," Amplifier, Vol. 51, p. 27, Winter 2003	
131	"AWG Logistics: Atlas Introduces AWG Logistics," Amplifier, Vol. 63, p. 5, Winter 2012	
132	"Partnership Solves Complex Logistics Equation" and "Partnership for Final Sm;)les", Amplifier, Vol. 64, pp. 18-19, Summer 2013	
133	"New Synergy in Atlas Logistics," Amplifier, Vol. 64, pp. 3, 8, Winter 2013	
134	"Partners in Success," Amplifier, Vol. 67, p. 16, Summer 2016	